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H – 945

International Court of Justice

H0945 - 0002

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

13 June 1946

COMMISSIONER:

Lt. Col. A.M.S. Neave

THE SA

(THE COMMISSION CONVENED AT 1120 HOURS)

FRIEDRICH KLAEHN, a witness, took the stand and testified as follows:

COL. NEAVE: Witness, what is your full name?

A. Friedrich Klaehn

COL. NEAVE: Raise your right hand and repeat these words after me. I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(THE WITNESS REPEATED THE OATH)

COL. NEAVE: Will you first state the matters he is going to bring out and what he is going to prove for the SA?

MR. ASCHENAUER: (Defense Counsel for the SA) I would like to show through the witness the relationship between the newspaper, Der SA Mann and its relationship to the leadership of the SA. I would like to demonstrate by him that the SA newspaper was neither an official nor a semi-official of the SA. I would like to throw light upon the series of articles which the presecution

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has shown. Subjects which the prosecution had mentioned in their questions were living space, colonial problems, Versailles Treaty and military and nationalistic questions and problems of political catholicism. I would like to prove that the quotations were either incorrect or that the quotations did not have the meaning which the prosecution claimed those quotations had. Expressively, I do exempt from that list of articles which the prosecution exhibited in regard to words of modern weapon and warfare which were used to try to prove the aggressive aims. To these articles I shall refer to the subsequent witness. Furthermore, it will be necessary to enlighten us by this witness on a pamphlet entitled Der SA Mann by Dr. Ernst Bayer. The witness also should clarify the importance of Hitler's book Mein Kampf.

COL. NEAVE: Wait a minute, Mr. Aschenauer, with regard to the publication and ~~translation~~ circulation of the pamphlet "Der SA Mann," and details of its relation to the high leadership, we have had a good deal of that from Juettner.

MR. ASCHENAUER: I wasn't able to do so at all, because I didn't have Der SA Man, but I did not have an opportunity to do so yet, and I feel I'm entitled to hear that witness - one I have counted on from the beginning.

COL. NEAVE: Mr. Boehm examined him on that subject, and I suggest that you don't cover the same points. Otherwise you can go on.

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DIRECT EXAMINATION

BY MR. ASCHENAUER:

Q. Since when have you been a member of the SA?

A. I entered the SA on the first of August 1930.

Q. Which offices did you hold in the SA?

Com. B
Take 2, Page 1
Noll
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1130-1300

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL DATED 13 MARCH 1946.

H0945-0005

COMMISSIONER:

Colonel Neave

THE SA

FRIEDRICH KLAEHN, a witness, took the stand and testified as follows:-

BY MR. ASCHENAUER:

A. In 1931 and 1932 I held the honorary position of Standartenfuehrer, leader of the Standart. Beginning with 1935 I was chief of the office on literature and publications of the SA, respectively of the offices of philosophy of the SA and cultural aspects of the SA.

Q. The prosecution makes the following quotation: "The brown legions of Adolf Hitler possessed in the newspaper, "SA Man", an official organ which is equally the mouthpiece and the educational instrument of the supreme leadership of the SA, as well as the sounding board and the testing ground of its will, its spirit, and the performance of the troops." Can you condlude from that statement by Ernst Roehm that it was an official organ of the SA?

COLONEL GRIFFITH-JONES: What is the number of that document?

MR. ASCHENAUER: It is the edition of January 6, 1934 of the "SA Man", Page 35.

A. Undoubtedly it was the intention of Boehm to make the "SA Man" the official organ of the SA. However, the development took another course and, after the death of Roehm, the organ could not be considered any longer the official SA organ.

Q. From an economic point of view, was the "SA Man" owned by the SA leadership?

A. No, the paper did not belong to the SA, but to the central publishing house of the Party.

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Q. If that is so, why remained under the title of the paper the "SA Man" the words, "The official organ of the supreme leadership of the Nazi Party"?

A. The "SA Man" faced great difficulties, and Hitler most reluctantly approved of it as an official organ of the SA.

(recess)

Q. If things are as you described, why did the heading, "official organ of the supreme SA leadership" remain in the heading?

A. I did mention already that the creation of the paper was accompanied by severe difficulties and that Hitler had hesitated very much to approve of it. If not the SA had voted to keep the heading, that would have meant the end of the paper and the leadership remained hopeful that, at a later date, the "SA Man" would become actually its organ.

Q. If the "SA Man" was not an official organ of the SA leadership, why did gauleiters and SA group leaders support that magazine?

A. I cannot recall that any gauleiters supported the "SA Man." I do recall that SA group leaders and SA units did support the "SA Man", and they had economic reasons, for awards were given for those who supported the "SA Man."

Q. What condition prevailed in regard to the "Gruppenbeilagen", the special section of the "SA Man" which every district of the SA had printed and inserted in the paper?

A. The "Gruppenbeilagen" depended upon the propaganda done by SA leaders.

Q. Did the individual officers of the SA supreme leadership have any influence on the contents of the "SA Man"?

A. They didn't have any influence. However, the individual officers of the SA supreme leadership were in a position to publish in the "SA Man" official announcements and public notices, for instance in regard to athletic events or

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New Years' messages by the Fuehrer or members of the staff of the "SA Man", and also orders which were of general interest. These could be published in the "SA Man" just as well as in any other paper. But they did not have any influence on the political contents of the "SA Man."

Q. Were the editors employees of the SA, or employees of the Eher Publishing House?

A. They were employed by the Eher Publishing House.

Q. Did the supreme SA leadership never try to bring about a change of relationship between the "SA Man" and the SA leadership?

A. Between 1935 and 1939 I repeatedly tried to gain control of the "SA Man", and was supported in these attempts by the SA leadership. However, all those attempts failed, due to the opposition of the editors and the publishers of the "SA Man."

Q. Were there any conflicts resulting from those attempts?

A. Yes, conflicts arose because the supreme leadership of the SA decided to have a training organ for the SA leadership/while, on the other hand, the editors and publishers of the paper decided to have a newspaper in the journalistic sense of the word--big headlines, etc.---which would appeal not only to the SA membership but to the people in general.

Q. Is that the reason why certain articles went beyond the framework of the SA?

A. Yes, that is the reason. And, above all, the editors and publishers wanted as much as possible a list of the subscribers to the "SA Man." And if the "SA Man" had been the paper the SA leaders wanted, the number of subscribers would have been decreased.

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Q. What is the real reason for the suspension of the "SA Man"?

A. At various occasions officers of the SA, of the Party, and of the Propaganda ministry had objected to the contents of the "SA Man", and the last event which led to the suspension of the "SA Man" was an article which was written on the Festival of the Amazons, which was held in connection with the "Brown Band" horse races in Munich. That event, the Festival of the Amazons, was no concern at all of the SA, and the order which prevented the further appearance of the "SA Man" originated directly from Adolf Hitler and stated that the "SA Man" was suspended because it had repeatedly violated the regulations of the Nazi press and that the order covered not only that paper but all other succeeding papers as well.

Q. What possibility to influence the circle of Nazi members did the "SA Man" have?

A. Generally the possibility to influence the SA membership has been exaggerated and over-estimated, because only a certain fraction of the membership received the "SA Man." Furthermore, there existed collective subscriptions through which the SA unit received the paper and handed it on to the individual members. That delayed the delivery for many weeks. The newspapers, therefore, were often antiquated when they reached the SA men, and in many cases were not even distributed anymore when they reached the unit. In many instances the SA sturms met only once in many months and in rural areas less frequently; on those occasions the "SA Man" was to be distributed. Furthermore, after 1933 in the ranks of the SA there was a general tendency to be hostile toward Nazi Party reading material.

Q. Was the "SA Man" used for training purposes?

A. Generally, in most units, it was used for the purpose, because the Hauptamt, the head office of education and training, did not approve

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of it as a means of education and training.

Q. Would it be fair to say that the "SA Man" was used by outside forces to cultivate a spirit which was not approved by the SA leadership?

A. The SA leadership intended to train the members on ethical lines. The newspaper, the "SA Man", sometimes followed a journalistic line which was not absolutely in accordance with those ethical lines. But I do not believe it was the intention of editors and publishers to implant into the "SA Man" such lines as the SA leaders intended. They only intended to have as many subscribers as possible.

Q. Did there exist a compulsion to subscribe to the "SA Man"?

A. No, no compulsion whatever.

Q. What is the maximum number of copies of the "SA Man" ever printed?

A. I don't recall the numbers, but, if I remember correctly, they are imprinted on each issue of the "SA Man." The only figure I remember is that the publishers told me in 1939 (1935?) that 200,000 copies were printed. Of these 200,000, 150,000 went to the SA--which would mean that, considering the fact that there were 3,000,000 SA members at that time, twenty SA men had to share every week one issue of the "SA Man." I was told that later on the number was higher than 200,000.

Q. We are now coming to a very difficult subject. The Prosecution supports its case by articles which are considered to indict the SA. I make reference to articles referring to the "living room" policy. PS 3050. It seems that the difficulty was created by taking sentences out of an article and quoting them or the heading of an article without paying attention the article in which these ercerpts were found. I am referring to the article published on January 5, 1935, referring to the German living space. The Prosecution assumes, on the

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basis of the title of that article, that it demonstrates aggressive tendencies. I will not read the entire article, but a little notation will show you the real sense of the article:

(MR. ASCHENAUER reads article in German. This is not translated.)

COLONEL NEAVE: Must you read all this? Can't you show the witness the article and then question him concerning it?

MR. ASCHENAUER: The matter is that the contents of the article refute the assumption based on the title of the article.

COLONEL NEAVE: You are not going to read all this before the Commission?

MR. ASCHENAUER: What I want to prove is the following: The Prosecution has used quotations and headings without giving the connection. The quotation which I want to submit to the Commission will prove that the contents of the article do not bear out the meaning of the title; consequently I want to read this and ask a question of the witness.

MR. MASE: May we see that article, sir?

COLONEL NEAVE: Have you no copies?

MR. MASE: No, sir; this does not appear in our book.

COLONEL GRIFFITH-JONES: Perhaps I can help both Mr. Mase and the Commission. I was going to ask that, when this witness has finished, the cross-examination be postponed until the Prosecution has had an opportunity to see some of the documents to which Dr. Aschenauer is going to refer. Dr. Aschenauer did indicate to me that he was going to refer to passages of which we have no translations. I spoke to Dr. Aschanauer and told him that I was going to make this application, and he very reasonably said that, if you in your cross-examination were going to refer to documents which I have not seen, I also will

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need time to consider them. I, therefore, arranged with him that, if the Commission would grant my request for an adjournment, I would indicate to him before the witness was recalled for examination, to which articles I intended to refer. It might, therefore, if you are agreeable to that course, save time now in the examination chief, if the articles about which Dr. Aschenauer wishes to ask him a question were shown to the witness and the questions asked. We would have that on the transcript and know what was said about the articles. We could find out more during the interval before he is recalled for cross-examination.

COLONEL NEAVE: Yes, Mr. Aschenauer, that seems to me to be much the best solution. Ask the witness the questions now, and we will allow a postponement of the cross-examination until the Prosecution has had time to examine the documents.

MR. ASCHENAUER: I definitely will have to quote a few articles, and I would like to stress that, if translations of those articles are not here, it is definitely not the fault of the Defense, because much of those articles have been mentioned by the Prosecution and not by us. I do need those quotations also because I want to avoid the creation of a new document book which, in its four translations, of course would require a huge amount of time and effort. Furthermore, one must keep in mind that the direct impression of evidence on the Tribunal is not guaranteed, and therefore it is necessary that those matters are contained in the proceedings.

COLONEL NEAVE: The question of translation must be discussed with me afterwards. Do we really need to discuss this any further?

COLONEL GRIFFITH-JONES: The articles to which he is referring will have to be translated, so that the Prosecution will know what it is about.

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When the witness is cross-examined, the exhibits can be put in in the way in which you have been attaching them to transcripts until now. Therefore, I am endeavoring to save time by not reading these long passages and having them translated later.

COLONEL NEAVE: The Commission will agree to arranging this as Colonel Griffith-Jones has suggested, and you may let us know what passages you will want translated. In the meantime, you will show the witness passages to which you are referring and examine him on them.

MR. ASCHENAUER: On the basis of this suggestion, I unfortunately cannot proceed with the examination. Since the Prosecution has brought up those articles, it must be that the Prosecution is familiar with those articles. Either I shall prepare exhibits and will question the witness on the basis of the exhibits, or we will continue the questioning as it was started. I am not in a position to interrogate on the basis of such a ruling by the Commission.

COLONEL NEAVE: I don't in the least understand why.

MR. ASCHENAUER: The Prosecution has made reference to five articles on "living space." The Prosecution confused domestic and foreign policy; and, to prove that, I must quote those five articles to the witness. The quotations are relatively short. The one which I just read was the longest one. The others are on an average of four or five sentences.

COLONEL NEAVE: But I do not understand why you cannot show these to the witness, examine him, and having the articles translated afterwards. The quotations will be then attached to the transcript, and your witness should show the discrepancies to which you refer.

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MR. ASCHENAUER: I must then follow the following procedure of showing the witness one article after another, and I am afraid that would consume more time than the procedure I have been following.

MR. MASE: I don't want to interfere in the proceedings, but this evidence which is suppbied by the Prosecution is documentary evidence. Actually, if these documents were submitted and attached to the transcripts, they would amount to good evidence. And therefore it is completely unimportant what the witness says. It is a question of fact what these articles mean in connection with the titles. Consequently, why question the witness about these? Why not consider them as documentary evidence? I say this without any desire to interfere.

COLONEL NEAVE: Mr. Aschenauer, will the Commission make this ruling. You may ask the witness abut the discrepancies in these articles you which you refer. You may quote short passages from those articles which are relevant, and you may show the witness copies of the articles when you are examining him. When your examination is complete, you will discuss with me the question of the translation of these articles as I have already said, and I will then decide to what date the cross-examination should be postponed. Now, that is the ruling, and will you continue with your examination?

(MR. ASCHENAUER quotes from article)

MR. ASCHENAUER: It is not necessary to translate because the translation will be supplied later. It is quite a long and complicated translation.

COLONEL NEAVE: Do not translate the quotation now. We will have that later.

Q. Does the article refer to domestic matters or matters of foreign policy?

A. That article refers only to domestic matters. In that respect, the SA leadership was never aggressive, because it had a certain feeling of

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responsibility in conjunction with the situation in which Germany found itself.

Q. The Prosecution ~~xx~~ submitted another article entitled "Nation and Space", a geopolitical reflection which appeared in the issue of April 2, 1935, Page 13. On the basis of ~~q~~ the quotation which I have just read to you, is that article concerned with aggression, or rather with cultivation and settlement ~~x~~ in the interior of Germany?

COLONEL NEAVE: We are going to have a translation of those articles which he does read, aren't we?

COLONEL GRIFFITH-JONES: We will be quite satisfied without the translation. If you will let the witness look at the thing, it will save time, and we can have the translation later.

COLONEL NEAVE: We don't want you to read the entire article. The point is to have him look at the article. It is perfectly simple; you may read in German short passages. Otherwise, show the witness the article.

~~X~~ COMMANDER ~~FELTNER~~ FELTON: If the court please, this is a mechanical aid: I suggest that the Counsel underline the passages he reads so that we may know which passages are to be translated.

MR. ASCHENAUER: Now the suggestion I have made is that I discuss with the Prosecution the articles which have been submitted by the Prosecution. If the Prosecution should then drop those articles as irrelevant, then of course we would save time.

DR. BOEHM: The proceedings lose all meaning if the full text is not incorporated.

COLONEL NEAVE: I said that he could quote short passages, and would he please stick to the ruling. The Prosecution will be satisfied if those passages are not translated at the moment, since they can be incorporated into the transcript. Will Mr. Aschenauer ~~x~~ please continue.

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Q. I ask in regard to the quotation which you have heard, does that article refer to the concentration of settlements of space in the interior of Germany, or does it refer to aggressive settlement?

COLONEL NEAVE: What page is this?

COLONEL GRIFFITH-JONES: Thirteen.

A. It refers to the cultivation of soil in the interior of Germany, to settle and resettle people. In no way does it refer to aggression.

Q. Reference ismade to an article which appeared in the "SA Man", entitled "Living Room". April 25, 1936. Does that article refer to the expansion of living space in the interior of Germany or outside of Germany?

A. The article makes use of the terms "living space" and "working space", and uses both words in the same sense and with the same meaning. The article points out that there is need formore space so that the enemployed can be employed again.

Q. Reference ismade to an article, "Space and People", Page 3 of the issue of October 14, 1938. In connection with the quotation I just read to you, I ask you, "Was there any intention to include Germans living abroad in the term, "living space"?

A. There was no intention of including Germans living abroad in the term "living space."

COMMANDER FELTON: Is this man the author of this article?

COLONEL NEAVE: What are the grounds of the objection?

COMMANDER FELTON: It would be irrelevant if the witness is not the author of the article. Also, the questions are so leading that they put the answer right into the witness's mouth.

COLONEL NEAVE: Mr Aschenauer, It is pretty wide of the subject for the witness to answer such questions concerning an article he did not write.

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MR. ASCHENAUER: I wonder whether the Prosecution/~~didnxk~~ wouldn't agree to drop all the articles mentioned.

MR. MASE: I don't want ~~a~~disagreement with the Defense Counsel, but I want to point out that these articles are completely irrelevant. ~~He~~ The witness is not competent to speak about these articles since he was not the author. The witness is asked if the articles suggest colonizing Germany. ~~AXXXXXXXXXXXXXXXn~~ ~~XXXXXXXXXXXXXXXX~~ I suggest that these ~~xxxxxxx~~ articles be submitted as documentary evidence, as we have submitted it, and that they be submitted later on either to the Commissioner or to the Tribunal. I make the point that this article ~~is~~ should be submitted to the Commission as documentary evidence, because it is a ~~xxxxxx~~ question of argument what these arguments mean and what the relations between the titles and text are. I don't see what relevance this witness has according to his position. He doesn't testify to anything else ~~xxxxx~~ but what the article says.

COLONEL GRIFFITH-JONES: ~~xxxx~~ I agree with Mr. Mase. All these questions are quite irregular and quite valueless. The articles speak for themselves, and it is purely a matter of argument to determine what the sense of those articles is. The only way in which the Commission or the Tribunal can ever come to a decision upon this is to see the English translation of the documents.

COLONEL NEAVE: Well, I ~~am~~ was just asking for your opinion, because I am prepared to stop this part of the examination altogether. It is very difficult to make any further decision until the translations of these ~~xxxxxx~~ documents are available. Mr. Aschenauer, I am stopping this part of the examination until we have had an opportunity to examine the articles to which you refer. I also think it would be a good moment to adjourn.

(The court adjourned at 1258 hours)

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AFTERNOON SESSION

(The hearing reconvened at 1400 hours, 13 June 1946)

COLONEL NEAVE: Colonel Griffith Jones, will you please tell the Defense his commission at and the Prosecution's decision?

COL. GRIFFITH JONES: We have talked to the Defense Counsel and Prosecution and suggest for your approval that we won't question this witness and we are going to propose that we do not continue the examination of this witness or the next witness this afternoon. We understand from Dr. Aschenauer that the questions he had to ask both these witnesses are on the lines of the questions which he put before we adjourned, and that they all related to the substance of articles which are mentioned only by their heading in the Exhibit PS 3050. The suggestion we were going to make to the Commission was that Dr. Aschenauer would provide the Prosecution with the list of those articles to which he takes objection or upon which he wishes to argue and that we study them and if we come to the conclusion that they do not support the headings that are included in the Exhibit 3050, then we withdraw them. If, on the other hand, we wish to argue the matter either about the heading or about the substances of the articles, then we will examine those articles and they will be presented to the Prosecution, and then after words the witnesses will be heard. The Prosecution will put in the complaints as exhibits.

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It seems that this would be the most satisfactory way of dealing with this matter and would certainly save time.

COLONEL NEAVE: Now, Dr. Aschenauer, you agree to provide that list, do you? The list of articles which you object to?

DR. ASCHENAUER: I do agree with that proposal and mention the following agreement, that if new articles should be submitted by the Prosecution, they would be kind enough to present them to the Defence and ~~the Heads of~~ the Commission in advance, so that we could have time also to study them.

COLONEL NEAVE: That will be done.

When do you think this arrangement will be completed and we can go on?

DR. ASCHENAUER: I should submit to the Prosecution as well as the magazine on Saturday. ..... If new material would be submitted by the Prosecution, of course, the Defense would also require some time to study them.

COL. GRIFFITH JONES: Now I suggest that we fix the time as about a fortnight ahead, the week after next. It takes a little time to translate, Mr. President. It does take a certain time.

COLONEL NEAVE: Well, shall we say the witness will not be ~~prepared~~ heard until the week after the next?

COLONEL JONES: If you wish, sir.

MR. BOEHM (Counsel for SA): If that is so, I might

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submit, Mr. Commissioner, that we might get very cluttered up with the ~~witnesses~~ hearing of the other witnesses to come. It seems that the hearing of those witnesses would require two or three days.

COLONEL NEAVE: Even after these arrangements were made?

MR. BOEHM: Even then.

COLONEL NEAVE: That means that the two witnesses would take a whole week. Do you mean two days each? ~~or three days?~~

MR. BOEHM: Both together in ~~two~~ three days.

COLONEL ~~NEAVE~~ Griffith-Jones: I should have ~~them and~~ thought that if the articles were put in as exhibits it would cut down the questioning to a bare minimum, because then, of course, it would not be open either to the Prosecution or Defense to ask the witness what the meaning of the articles was.

MR. BOEHM: I think it would be very necessary to hear the witnesses because that witness, which we have just had, taught in the training schools of the SA and he would be the ~~one~~ only one competent to interpret their meaning and to show if and how ~~they~~ these articles were used in the training of the SA. Also, he did not create them but he has read them as an SA man and is able to tell us the ~~qxx~~ answer to the questions which we asked to put before him today.

COLONEL JONES: Perhaps this matter can be left to ~~be~~ be agreed upon when the question arises.

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From the point of view of fixing the time, Dr. Aschenauer is working on the newspapers ~~xxxx~~ until Saturday, so that we will not get a sight of them until the beginning of next week and I do feel that to have this witness back before next week -- the beginning of the following week, would leave very little time to complete the necessary examination.

COLONEL NEAVE: Mr. Boehm, first of all the Commission cannot make any decision until they know of the ~~x~~ documents and secondly, will you arrange ~~xxx~~ to report ~~of~~ ~~x~~ progress to us ~~at~~ and state the earliest time when you think the witnesses can be recalled.

MR. BOEHM: I am convinced that a description about the number of articles ~~i~~ in our further discussions will be necessary for it will be clear that the title and the contents counts.

COLONEL NEAVE: Wait a minute. I don't want to discuss that now.

~~Have~~ you anything more, Colonel Griffith Jones?

MR. BOEHM: If new articles should be submitted by the Prosecution, I should like to request that I also be get~~ting~~ a few days so that I should not have to work all the extra time.

COLONEL NEAVE: We will keep you informed. You let me know how you are ~~making out~~ getting on and I will see what I can do.

This witness can go. The other witness, whose name is Bock, will not be required for about a weeks time. We

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will hold these witnesses here until you wish to hear them.

Now, Dr. Aschenauer, we are in some difficulty here ~~for~~ regarding this next witness, HIRT, who is supposed to be a witness for the political leaders.

Col Neave, ~~DR. ASCHENAUER:~~ NATH He is in Nurnberg, isn't he?

~~COLONEL NEAVE:~~ Where is he now?

~~DR. ASCHENAUER:~~ NATH He is at Uhlandstrasse 3.

COLONEL NEAVE: How long would it take you to get him?

~~DR. ASCHENAUER:~~ NATH Approximately one hour.

COLONEL NEAVE: Do you think you can have him here in this courtroom in an hour?

~~DR. ASCHENAUER:~~ NATH If he is at home, yes.

~~COLONEL JONES:~~ NEAVE: The next witness, ~~Bock~~ HIRT, is a Blockleiter and there is a possibility that he will not be at home. I suggest that we adjourn ~~from~~ for an hour now ~~on~~ and I will ~~call~~ inform you if we intend to reconvene, and in that time will you please discuss with me the other witnesses ~~xxx~~ you expect to call ~~and~~ as we ~~shall~~ have got on faster than we expected to. And the same applies to the SA. I'dlike to see about the SA as well.

If Hirt cannot come, shall we call an SS witness?

COLONEL JONES: I agree, but the difficulty would be with the Defense Coun~~sel~~. I don't think that the Prosecution would object to an SS witness ~~xxx~~ being called. ~~X~~ I think it would be the Defense.

Dr Nath: I believe that we would have a sufficient number of witnesses for the meantime.

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Take 3, p. 6
Roach
13 June 1946

COLONEL NEAVE: I suggest then that we do not try to bring an SS witness down here We will reassamble in an hours time.

(A recess was taken at 1430 hours)

The foregoing is a true and correct transcript of the testimony of FREDERICK KLAEHN, taken on 13 June 1946.

Bernice Winkler
REP. (P 1-3

Dorothie - J. Noll
Reporter (pp. 1-12

Roach D.
Reporter (pp. 13-18

Reporter (pp.

CERTIFIED TO:

Am S Neave
Commissioner
Lt Col

Commissioner

H0945-0023

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(THE WITNESS REPEATED THE OATH)

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DR. ASCHENAUER: (Defense Counsel for the SA): I would like to show through the witness the relationship between the newspaper, Der SA Mann and its relationship to the leadership of the SA. I would like to demonstrate by him that the SA newspaper was neither an official or a semi-official [illegible] the SA. I would like to throw light upon the series of articles which the prosecution has shown. Subjects which the prosecution mentioned in their questions were living space, colonial problems, Versailles Treaty and military and nationalistic questions and problems of political catholicism. I would like to prove that the quotations were either incorrect or that the quotations did not have the meaning which the prosecution claimed these quotations had. Expressively, I do exempt from that list of articles which the prosecution exhibited in regard to words

of modern weapon and warfare which were used to try to prove the aggressive aims. To these articles I shall refer to the subsequent witness. Furthermore, it will be necessary to enlighten us by this witness on a pamphlet entitled Der SA Mann, by Dr. Ernst Bayer. The witness also should clarify the importance of Hitler's book "Mein Kampf".

COL. NEAVE: Wait a minute, Mr. Aschenauer, With regard to the publication and circulation of the pamphlet "Der SA Mann", and details of its relation to the higher leadership, we have had a good deal of that from Juettner.

MR. ASCHENAUER: I wasn't able to do so at all, because I didn't have "Der SA Mann", but I did not have an opportunity to do so yet, and I fell I'm entitled to hear that witness - one I have counted on from the beginning.

COL. NEAVE: Mr. Boehm examined him on that subject, and I suggest that you don't cover the same points. Otherwise, you can go on.

BY MR. ASCHENAUER:

Q. Since when have you been a member of the SA?

A. I entered the SA on the first of August 1930.

Q. Which officers did you hold in the SA?

A. In 1931 and 1932 I held the honorary position of Standartenfuehrer, leader of the Standart. Beginning with 1935, I was chief of the office on literature and publications of the SA, respectively of the offices of philosophy of the SA and cultural aspects of the SA.

Q. The prosecution makes the following quotation: "The brown legions of Adolf Hitler possessed in the newspaper, 'SA Man', an official organ which is equally the mouth piece and the educational instrument of the supreme leadership of the SA, as well as the sounding board and the testing ground of its will, its spirit, and the performance of the troops". Can you conclude from that statment by Ernst Roehm that it was an official organ of the SA?

COLONEL GRIFFITH-JONES: What is the number of that document?

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MR. ASCHENAUER: It is the edition of January 6, 1934 of the "SA Mann" page 35.

A. Undoubtedly it was the intention of Roehm to make the "SA Mann" the official organ of the SA. However, the development took another course and, after the death of Roch, the organ could not be considered any longer the official SA organ.

Q. From an economic point of view, was the "SA Mann" owned by the SA leadership?

A. No, the paper did not belong to the SA, but to the central publishing house of the party.

Q. If that is so, why remained under the title of the paper the "SA Mann" the words, "The official organ of the supreme leadership of the Nazi Party"?

A. The "SA Mann" faced great difficulties, and Hitler most reluctantly approved of it as an official organ of the SA.

(Recess)

Q. If things are as you described, why did the heading "official organ of the supreme SA leadership" remain in the heading?

A. I did mention already that the creation of the paper was accompanied by sever difficulties and that Hitler had hesitated very much to approve of it. If the SA had not voted on keeping the heading, that would have meant the end of the paper, and the leadership remained hopeful that, at a later date, the "SA Mann" would become actually its organ.

Q. If the "SA Mann" was not an official organ of the SA leadership, why did gauleiters and SA group leaders support that magazine?

A. I cannot recall that any gauleiters supported the "SA Mann". I do recall that SA group leaders and SA units did support the "SA Mann", and they had economic reasons, for awards were given for those who supported the "SA Mann".

Q. What condition prevailed in regard to the "Gruppenbeilagen", the special section of the "SA Mann" which every district of the SA had printed and inserted in the paper?

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A. The "Grupponbeilagen" depended upon the propaganda done by SA leaders.

Q. Did the individual officers of the SA supreme leadership have any influence on the contents of the "SA Mann"?

A. They didn't have any influence. However, the individual officers of the SA supreme leadership were in a position to publish in the "SA Mann" official announcements and public notices, for instance in regard to athletic events or New Years' messages by the Fuehrer or members of the staff of the "SA Mann", and also orders which were of general interest. These could be published in the "SA Mann" just as well as in any other paper. But they did not have any influence on the political contents of the "SA Mann".

Q. Were the editors employees of the SA, or employees of the Eher Publishing House?

A. They were employed by the Eher Publishing House.

Q. Did the supreme SA lead orship never try to bring about a change of relat ionship between the "SA Mann" and the SA leadership?

A. Between 1935 and 1939 I repeatedly tried to gain control of the "SA Mann", and was supported in those attempts by the SA leadership. However, all those attempts failed, due to the opposition of the editors and the publishers of the "SA Mann"

Q. Were there any conflicts resulting from those attempts?

A. Yes, conflicts arose because the supreme leadership of the SA decided to have a training organ for the SA leadership, while, on the other hand, the editors and publishers of the paper decided to have a newspaper in the journalistic sense of the word --big headlines, etc.,--which would appeal not only to the SA membership, but to the people in general.

Q. Is that the reason why certain articles went beyond the framework of the SA?

A. Yes, that is the reason. And, above all, the editors and publishers wanted as much as possible a list of the subsrcibers to the "SA Mann". And if the "SA Mann" had been the paper the SA leaders wanted, the number of subscribers would have been decreased.

Q What is the real reason for the suspension of the "SA Man"?

A At various occasions officers of the SA, of the Party, and of the Propaganda ministry had objected to the contents of the "SA Man", and the last event whichled to the suspension of the "SA Man" was an article which was written on the Festival of the Amazons, which was held in connection with the "Brown Band" horse races in Munich. That event, the Festival of the Amazons, was no concern at all of the SA, and the order which prevented the further appearance of the "SA Man" originated directlyfrom Adolf Hitler and stated that the "SA Man" was suspended because it had repeatedly violated the regulations of the Nazi press and that the order covered not only that paper but all other succeeding papers as well.

Q What possibility to influence the circl e of Nazi members did the "SA Man" have?

A Generally the possibility to influence the SA membership has been exaggerated and over-estimated, because only a certain fraction of the membership received the "SA Man". Furthermore, there existed collective subscriptions through which the SA unit received the paper and handed it on to the individual members. That delayed the delivery for many weeks. The newspapers, therefore, were often antiquated when they reached the SA men, and in many cases were not even distributed anymore when they reached the unit. In many instances the SA sturms met only once in many months and in rural areas less frequently; on those occasions the "SA Man" was to be distributed. Furthermore, after 1933 in the ranks of the SA there was a general tendency to be hostile toward Nazi Party reading material.

Q Was the "SA Man" used for training purposes?

A Generally, in most units, it was used for the purpose, because the Hauptamt, the head office of education and training, did not approve of it as a means of education and training.

Q Would it be fair to say that the "SA Man" was used by outside forces to cultivate a spirit which was not approved by the SA leadership?

A The SA leadership intended to train the members on ethical lines. The newspaper, the "SA Man", sometimes followed a journalistic line which was not absolutely in accordance with these ethical lines. But I do not believe it

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was the intention of editors and publishers to implant into the "SA Man" such lines as the SA leaders intended. They only intended to have as many subscribers as possible.

Q Did there exist a compulsion to subscribe to the "SA Man"?

A No, no compulsion whatever.

Q What is the maximum number of copies of the "SA Man" ever printed?

A I don't recallthe numbers, but, if I remember correctly, they are imprinted on each issue of the "SA Man". The only figure I remember is that the publishers told me in 1939 (1935?) that 200,000 copies were printed. Of these 200,000, 150,000 went to the SA -- which would mean that, considering the fact that there were 3,000,000 SA members at that time, twenty SA men had to share every week one issue of the "SA Man". I was told that later on the number was higher than 200,000.

Q We are now coming to a very difficult subject. The Prosecution supports its case by articles which are considered to indict the SA. I make reference to articles refe.ring to the "living room" policy. PS 3050. It seems that the difficulty was created by taking sentences out of an article and quoting them or the heading of an article without paying a ttention to the article in which these excerpts were found. I am referring to the article published on January 5, 1935, referring to the German living space. The Prosecution assumes, on the basis of the title of that article, that it demonstrates aggressive tendencies. I will not read the entire article, but a little notation will show you the real sense of the article:

(MR. ASCHENAUER reads article in German. This is not translated.)

COLONEL NEAVE: Must you read all this? Can't you show the witness the article and then question him concerning it?

MR. ASHCHENAUER: The matter is that the contents of the article refute the assumption based on the title of the article.

COLONEL NEAVE: You are not going to read all this before the Commission?

MR. ASCHENAUER: What I want to prove is the following: The Prosecution has used quotations and headings without giving the connection. The quotation which I want to submit to the Commission will prove that the contents of the article do not bear out the meaning of the title; consequently I want to read this and ask a question of the witness.

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MR. MASE: May we see that article, sir?

COLONEL NEAVE: Have you no copies?

MR. MASE: No, sir; this does not appear in our book.

COLONEL GRIFFITH JONES: Perhaps I can help both Mr. Mase and the Commission. I was going to ask that, when this witness has finished, the cross-examination be postponed until the Prosecution has had an opportunity to see some of the documents to which Dr. Aschenauer is going to refer. Dr. Aschenauer did indicate to me that he was going to refer to passages of which we have no translations. I spoke to Dr. Aschenauer and told him that I was going to make this application, and he very reasonably said that, "if you in your cross-examination were going to refer to documents which I have not seen, I also will

need time to consider them. I, therefore, arranged with him that, if the Commission would grant my request for an adjournment, I would indicate to him before the witness was recalled for examination, to which articles I intended to refer. It might, therefore, if you are agreeable to that course, save time now in the examination chief, if the articles about which Dr. Aschenauer wishes to ask him a questionwere shown to the witness and the questions asked. We would have that on the transcript and know what was said about the articles. We could find out more during the interval before he is recalled for cross-examination.

COLONEL NEAVE: Yes, Mr. Aschenauer, that seems to me to be much the best solution. Ask the witness the questions, now, and we will allow a postponement of the cross-examination until the Prosecution has had time to examine the documents.

MR. ASCHENAUER: I definitely will have to quote a few articles and I would like to stress that, if translations of those articles are not here, it is definitely not the fault of the Defense, because much of those articles have been mentioned by the Prosecution and not by us. I do need those quotations also because I want to avoid the creation of a new document book, which, in its four translations, of course would require a huge amount of time and effort, Furthermore, onemust keep in mind that the direct impression of evidence on the Tribunal is not guaranteed, and therefore it is necessary that those matters are contained in the proceedings.

COLONEL NEAVE: THe question of translation must be discussed with me afterwards. Do we really need to discuss this any further?

COLONEL GRIFFITH JONES: The articles to which he is referring will have to be translated, so that the Prosecution will know what it is about. When the witness is cross-examined, the exhibits can be put in in the way in which you have been attaching them to transcripts until now. Therefore, I am endeavoring to save time by not reading these long passages and having them translated later.

COLONEL NEAVE: The Commission will agree to arranging this as Colonel Griffith- Jones has suggested, and you may let us know what passages you will want translated. In the meantime, you will show thewitness passages to which you are referring and examine him on them.

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Mr. ASCHENAUER: On the basis of this suggestion, I unfortunately cannot proceed with the examination. Since the Prosecution has brought up those articles, it must be thatthe Prosecution is familiar with those articles. Either I shall prepare exhibits and will question the witness on the basis of the exhibits, or we will continue the question as itwas started. I am not in a position to interrogate on the basis of such a ruling by the Commission.

COLONEL NEAVE: I don't in the least understand why/

MR. ASCHENAUER: The Prosecution has made reference to five articles on "Living space". The Prosecution confused domestic and foreign policy; and, to prove that, I must quote those five articles to the witness. The quotations are relatively short. The one which I just read was the longest one. The others are on an average of four or five sentences.

COLONEL NEAVE: But I do not understand why you cannot show these to the witness, examine him, and having the articles translated afterwards. The quotations will then be attached to the transcript. Your witness should show the discrepancies to which you refer.

MR. ASCHENAUER: I must then follow the following procedure of showing the witness one article after another, and I am afraid that would consume more time than the procedure I have been following.

MR. MASE: I don't want to interfere in the proceedings, but this evidence which is supplied by the Prosecution is documentary evidence. Actually, if these documents were submitted and attached to the transcripts, they would amount to good evidence. And therefore it is completely unimportant what the witness says. It is a question of fact what these articles mean in connection with the titles. Consequenly, why question the witness about these? Why not consider them as documentary evidence. I say this without any desire to interfere.

COLONEL NEAVE: Mr. Aschenauer, the Commission will make the ruling. You may ask the witness about the discrepancies in these articles to which you refer. You may quote short passages from those articles which are relevant, and you may show the witness copies of the articles when you are examining him. When your examination is complete, you will discuss with me the question of the translation of these articles as I have already said, and I will then

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decide to what date the cross-examination should be postponed. Now, that is the ruling, and will you continue with your examination?

(MR. ASCHENAUER quotes from article)

MR. ASCHENAUER: It is not necessary to translate because the translation will be supplied later. It is quite a long and complicated translation.

COLONEL NEAVE: Do not translate the quotation now. We will have that later.

Q Does the article refer to domestic matters or matters of foreign policy?

A That article refers only to domestic matters. In that respect, the SA leadership was never aggressive, because it had a certain feeling of

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responsibility in conjunction with the situation in which Germany found itself.

Q The Prosecution submitted another article entitled "Nation and Space," a geopolitical reflection which appeared in the issue of April 2, 1935, Page 13. On the basis of the quotation which I have just read to you, is that article concerned with aggression, or rather with cultivation and settlement in the interior of Germany?

COLONEL NEAVE: We are going to have a translation of those articles which he does read, aren't we?

COLONEL GRIFFITH JONES: We will be quite satisfied without the translation. If you will let the witness look at the thing, it will save time, and we can have the translation later.

COLONEL NEAVE: We don't want you to read the entire article. The point is to have him look at the article. It is perfectly simple; you may read in German short passages. Otherwise show the witness the article.

COMMANDER FELTON: If the court please, this is a mechanical aid: I suggest that the Counsel underline the passages he reads so that we may know which passages are to be translated.

MR. ASCHANAUER: Now the suggestion I have made is that I discuss with the Prosecution the articles which have been submitted by the Prosecution. If the Prosecution should then drop those articles as irrelevant, then of course we would save time.

DR. BOEHM: The proceedings lose all meaning if the full text is not incorporated.

COLONEL NEAVE: I said that he could quote short passages, and would he please stick to the ruling. The Prosecution will be satisfied if those passages are not translated at the moment, since they can be incorporated into the transcript. Will Mr. Aschenauer please continue.

Q I ask in regard to the quotation you have heard, does that article refer to the concentration of settlements of space in the interior of Germany, or does it refer to aggressive settlement?

COLONEL NEAVE: What page is this?

COLONEL GRIFFITH JONES: Thirteen.

A It refers to the cultivation of soil in the interior of Germany, to settle and resettle people. In no way does it refer to aggression.

Q Reference is made to an article which appeared inthe "SA Man",

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entitled "Living Room". April 25, 1936. Does that article refer to the expansion of living space in the interior of Germany or outside of Germany?

A The article makes use of the terms "living space" and "working space", and uses both words in the same sense and with the same meaning. The article points out that there is need for more space so that the unemployed can be employed again.

Q Reference is made to an article, "Space and People", Page 3 of the issue of October 14, 1938. In connection with the quotation I just read to you, I ask you, "Was there any intention to include Germans living abroad in the term, "living space"?

A There was no intention of including Germans living abroad in the term, "living space".

COMMANDER FELTON: Is this man the author of this article?

COLONEL NEAVE: What are the grounds of the objection?

COMMANDER FELTON: It would be irrelevant if the witness is not the author of the article. Also, the questions are so leading that they put the answer right into the witness's mouth.

COLONEL NEAVE: Mr. Aschenauer, it is pretty wide of the subject for the witness to answer such questions concerning an article he did not write.

MR. ASCHENAUER: I wonder whether the Prosecution wouldn't agree to drop all the articles mentioned.

MR. MASE: I don't want a disagreement with the Defense Counsel, but I want to point out that these articles are completely irrelevant. The witness is not competent to speak about these articles since he was not the author. The witness is asked if the articles suggest colonizing Germany. I suggest that these articles be submitted as documentary evidence, as we have submitted it, and that they be submitted later on either to the Commissioner or to the Tribunal. I make the point that this article should be submitted to the Commission as documentary evidence, because it is a question of argument what these arguments mean and what the relations between the titles and text are. I don't see what relevance this witness has according to his position. He doesn't testify to anything else but what the article says.

COLONEL GRIFFITH JONES: I agree with Mr. Mase. All these questions are quite irregular and quite valueless. The articles speak for themselves,

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and it is purely a matter of argument to determine what the sense of those articles is. The only way in which the Commission or the Tribunal can ever come to a decision upon this is to see the English translation of the documents.

COLONEL NEAVE: Well, I was just asking for your opinion, because I am prepared to stop this part of the examination altogether. It is very difficult to make any further decision until the translations of these documents are available. Mr. Aschenauer, I am stopping this part of the examination until we have had an opportunity to examine the articles to which you refer. I also think it would be a good moment to adjourn.

(The court adjourned at 1258 hours.)

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AFTERNOON SESSION

(The hearing reconvened at 1400 hours, 13 June 1946)

COLONEL NEAVE: Colonel Griffith Jones, will you please tell the Commission of the Defense and Prosecution's decision?

COLONEL GRIFFITH JONES: We have talked to the Defense Counsel and Prosecution and suggest for your approval that we won't question this witness and we are going to propose that we do not continue the examination of this witness or the next witness this afternoon. We understand from Dr. Aschenauer that the questions he has to ask both these witnesses are on the lines of the questions which he put before we adjourned, and that they all related to the substance of articles which are mentioned only by their heading in the Exhibit PS 3050. The suggestion we were going to make to the Commission was that Dr. Aschenauer would provide the Prosecution with the list of those articles to which he takes objection or upon which he wishes to argue and that we study them and if we come to the conclusion that they do not support the headings that are included in the Exhibit 3050, then we withdraw them. If, on the other hand, we wish to argue the matter either about the heading or about the substances of the articles, then we will examine those articles and they will be presented to the Prosecution, and then afterwards the witnesses willbe heard. The Prosecution will put in the complaints as exhibits.

It seems that this would be the most satisfactory way of dealing with this matter and would certainly save time.

COLONEL NEAVE: Now, Dr. Aschenauer, you agree to provide that list, do you? The list of articles which you object to? The list of articles which you object to?

DR. ASCHENAUER: I do agree with that proposal and mention the following agreement, that if new articles should be submitted by the Prosecution, they would be kind enough to present them to the Defense and the Commission in advance, so that we could have time also to study them.

COLONEL NEAVE: That will be done.

When do you think this arrangement will be completed and we can go on?

DR. ASCHENAUER: I should submit to the Prosecution as well as the magazine on Saturday . . . . . If new material would be submitted by the Prosecution, of course, the Defense would also require some time to study

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them.

COLONEL GRIFFITH JONES: Now I suggest that we fix the time as about a fortnight ahead, the week after next. It takes a little time to translate, Mr. President. It does take a certain time.

COLONEL NEAVE: Well, shall we say the witness will not be heard until the week after the next?

COLONEL GRIFFITH JONES: If you wish, sir.

MR. BOEHM (Counsel for SA): If that is so, I might submit, Mr. Commissioner, that we might get very cluttered up with the hearing of the other witnesses to come. It seems that the hearing of those witnesses would require two or three days.

COLONEL NEAVE: Even after these arrangements were made?

MR. BOEHM: Even then,

COLONEL NEAVE: That means that the two witnesses would take a whole week. Do you mean two days each?

MR. BOEHM: Both together in three days.

COLONELGRIFFITH JONES: I should have thought that if the articles were put in as exhibits it would cut down the questioning to a bare minimum, because then, of course, it would not be open either to the Prosecution or Defense to ask the witness what the meaning of the articles was.

MR. BOEHM: I think it would be very necessary to hear the witnesses because that witness, which we have just had, taught in the training schools of the SA and he would be the only one competent to interpret their meaning and to show if and how these articles were used in the training of the SA. Also, he did not create them but he has read them as an SA man and is able to tell us the answer to the questions which we asked to put before him today.

COLONEL GRIFFITH JONES: Perhaps this matter can be left to be agreed upon when the question arises.

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From the point of view of fixing the time, Dr. Aschenauer is working on the newspapers until Saturday, so that we will not get a sight of them until the beginning of next week and I do feel that to have this witness back before next week -- the beginning of the following week, would leave very little time to complete the necessary examination.

COLONEL NEAVE: Mr. Boehm, first of all the Commission cannot make any decision until they know of the documents and secondly, will you arrange to report progress to us and state the earliest time when you think the witnesses can be recalled.

MR. BOEHM: I am convinced that a description about the number of articles in our further discussions will be necessary for it will be clear that the title and the contents counts.

COLONEL NEAVE: Wait a minute. I don't want to discuss that now.

Have you anything more, Colonel Griffith Jones?

MR. BOEHM: If new articles should be submitted by the Prosecution, I should like to request that I also be getting a few days so that I should not have to work all the extra time.

COLONEL NEAVE: We will keep you informed. You let me know how you are getting on and I will see what I can do.

This witness can go. The other witness, whose name is Bock, will not be required for about a week's time. We will hold these witnesses here until you wish to hear them.

Now, Dr. Aschenauer, we are in some difficulty here regarding this next witness, HIRT, who is supposed to be a witness for the political leaders.

COLONEL NEAVE: He is in Nurnberg, isn't he? Where is he now?

DR. NATH: He is at Uhlandstrasse 3.

COLONEL NEAVE: How long would it take you to get him?

DR. NATH: Approximately one hour.

COLONEL NEAVE: Do you think you can have him here in this courtroom in an hour?

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DR. NATH: If he is at home, yes.

COLONEL NEAVE: The next witness, HIRT, is a Blockleiter and there is a possibility that he will not be at home. I suggest that we adjourn for an hour now and I will inform you if we intend to reconvene, and in the mean time will you, DR. NATH, please discuss with me the other witnesses you expect to call as we have got on faster than we expected to. And the same applies to the SA. I'd like to see about the SA as well. If HIRT cannot come, shall we call an SS witness?

COLONEL JONES: I agree, but the difficulty would be with the Defense Counsel. I don't think that the Prosecution would object to an SS witness being called. I think it would be the Defense.

DR. NATH: I believe that we would have a sufficient number of witnesses for the meantime.

COLONEL NEAVE: I suggest then that we do not try to bring an SS witness down here. We will reassemble in an hour's time.

(A recess was taken at 1430 hours)

The foregoing is a true and correct transcript of the testimony of FREDERICK KLAEHN, taken on 13 June 1946.

Bernice Winkler
Reporter

Dorothie J. Noll
Reporter

Roach D.
Reporter

CERTIFIED TO:

A. M. Neave
Commissioner